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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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RONNIE KASSEL,

Plaintiff,

-against-

NATIONAL PROCESSING GROUP,

Defendant.

ORDER

13-CV-6216 (NGG) (RML)

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NICHOLAS G. GARAUFIS, United States District Judge.

On November 11, 2013, Plaintiff Ronnie Kassel commenced this action, bringing claims pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. §§ 1692, et seq. (See Compl. (Dkt. 1).) Plaintiff filed an Amended Complaint on December 5, 2013. (Am. Compl. (Dkt. 4).) On August 20, 2014, Plaintiff requested a certificate of default. (Dkt. 10) The request was denied because Plaintiff's counsel did not submit the necessary documentation to prove that Defendant National Processing Group had been properly served with the Complaint or the Amended Complaint. (Nov. 10, 2014, Dkt. Entry.) On February 6, 2015, Magistrate Judge Robert M. Levy issued an order directing Plaintiff's counsel to file by February 13, 2015, a status report stating whether he intended to continue with the litigation, and if so, whether and when Defendant was served in compliance with Federal Rule of Civil Procedure 4(m). (Feb. 6, 2015, Status Report Order.) Plaintiff's counsel did not respond, and on March 18, 2015, Judge Levy issued a Report and Recommendation ("R&R"), recommending that the court dismiss the action for lack of prosecution. (R&R (Dkt. 11).)

No party has objected to Judge Levy's R&R, and the time to do so has passed. See Fed. R. Civ. P. 72(b)(2), 6(a). (See also R&R at 1-2 ("Any objections to this Report and

Recommendation must be filed with the Clerk of the Court, with courtesy copies to the Honorable Nicholas G. Garaufis, United States District Judge, and to my chambers, within fourteen (14) days. Failure to file objections within the specified time waives the right to appeal the district court's order.".) Therefore, the court reviews the R&R for clear error. See Gesualdi v. Mack Excavation & Trailer Serv., Inc., No. 09-CV-2502 (KAM), 2010 WL 985294, at *1 (E.D.N.Y. Mar. 15, 2010); La Torres v. Walker, 216 F. Supp. 2d 157, 159 (S.D.N.Y. 2000); cf. 28 U.S.C. § 636(b)(1). Finding no clear error, the court adopts the R&R in full. See Porter v. Potter, 219 F. App'x 112 (2d Cir. 2007).

Accordingly, the court ADOPTS IN FULL the R&R. The action is DISMISSED for failure to prosecute. The Clerk of Court is respectfully directed to enter judgment and close the case.

SO ORDERED.

Dated: Brooklyn, New York
April 7, 2015

s/Nicholas G. Garaufis

NICHOLAS G. GARAUFIS
United States District Judge